R.Dis File No. 9.(4)

1939.

Collection No.

B

19/7/47

Mas 19/7

(w)

Pros. / Serial Nos. 1 - 20

44

44P

Subject.

Grant of Succession Certificate in favour of Mr. M. N. Gopala Rao in the matter of the estate of Padmavathi Bai.

Previous References.

Later References.

1A

16/10/46

S. 97.—(Green).

MFP—1663 S&P—(M-2971)—24-6-38—100,000.

Dy.Nos.8624 & 8695 S.N.14 & 15.

(10)

Time may be granted as prayed for by the petitioner and the counter-petitioners.

22.8.39.

23.8.

AsRao
22.8.39

(para 10)

A.S.
Affts 4/9/35

(11)

Dy.Nos.9128, 9194, 9406 & 9452. S.N.16 to 19.

Notices inviting objections to the application were issued and published in the Residency Orders. M.N. Narayana Rao, M.N.Rma Rao & M.N.Lakshmana Rao have filed affidavits to the effect that they have no objection to the grant of succession certificate to the petitioner. C. Shamachar, Nagoo Bai and C.Seshachar who filed their objections in the case now withdraw the same as they have come to a settlement in the matter and all these people say that they have no objection to the grant of succession certificate to the petitioner. C. Srinivasa Rao, on whom notice has been duly served, has not filed any objection. The Certificate may be granted.

Draft submitted for approval.

12.9.39.

(para 11)

AsRao
30.1x.39

A.S.

& SN 9 to 11 of (2)
Corpp 19 to 21

x SN.7 & SN.16
Corpp 3 PUC

≠ SN. 18 & 19
PUCs

(12)

Rev. I. 9(4)/39 (2)

M.N.Gopal Rao is alleged to have mis-represented facts in this case, vide S.N.7, and had omitted essential facts in the case of the estate of the late M.N.Srinivasa Rao and Indira Bai. As however petitioner and counter-petitioners have come to an agreement amongst themselves the succession certificate may be granted.

4.10

Seen

(13) Petitioner is the deceased husband's brother. Caveat Petitioners are

2, 3 & 4, Brothers of the petitioner.

5, 6, 7. Brothers of the deceased

(14) Objectors were Sriyuths 5 & 7 & Nagobai They have withdrawn objections.

(15) Verify that under Hindu Laws there is a prima facie case.

5/10/39.

Please see para 15. As the deceased Padmavathi Bai had no children and her husband predeceased her, the succession to her property shall be to her husband's heirs in order of succession to him (Vide section 12(1) II(iv) of Mysore Regulation X of 1933). The petitioner and his ~~petitioners~~ brothers (2 to 4) are heirs to the property.

[Please see section 5(2) of the Indian Succession Act, 1925]

11.10.39.

16/10/39.

(T)

AsRao

13.10.39

Secretary.

S.N.1

1

DSRa
25-1-39.

BEFORE THE POLITICAL AGENNT AND BRITISH REPRESENTATIVE ACCREDITED TO THE STATE OF MYSORE, CIVIL AND MILITARY STATION BANGALORE

R. Dis. F. No. 9 (4)
N.O.F. of 1939

Diary No. 914
File No. R.D.9(4)39.

In the matter of the collection of debts and securities due to the estate of Padmavathi Bai, deceased

Petitioner:- M.N.Gopala Rao, son of M.Narasinga Rao, aged about 55 years, retired Electric Operator, residing at No 6, Temple Road, Malleswaram, Bangalore.

UNDER SECTION 372 READ WITH SECTION 382 OF THE INDIAN SUCCESSION ACT (ACT XXXIX OF 1925)

The petition of the abovenamed petitioner humbly and respectfully showeth:-

1. The petitioner is the brother of the predeceased husband of Padmavathi Bai, who died on 24-3-38.

2. At the time of her death the deceased was residing in Gangarasanahally village, in Kolar District Mysore State. But the property mentioned in the schedule hereunto annexed in respect of which this application is made is situate in British India at Bombay.

3. That the deceased has left behind her the following relations and their names, addresses and nature of relationship are as follows :-

(i) M.N.Gopal Rao, brother of the husband of the deceased;

(ii) M.N.Rama Rao, aged about 49 years, Head Clerk in Mysore Railways Agent's Office, residing at No 236, Bandikeri, Mysore.

2

(iii) M.N.Lakshmana Rao B.A.B.E., aged about 40, Assistant Engineer, Mysore Public Works Department, residing now at Hassan Mysore State.

(iv) M.N.Narayana Rao B.A.LL.B. aged about 32, Legal Practitioner, residing at No 124, Visveswarapuram, Bangalore.

ii to iv also being brothers of the husband of the deceased

(v) C.Seshachar son of Chaturvedi Ramachar, aged about 55 years, Jodidar, residing in Gangarasanahalli village, Holur Hobli, Kolar Taluk Kolar District Mysore State

(vi) C. Srinivasa Rao, son of C.Ramachar, aged about 50, Retired Schoolmaster, residing in Brahmins Street, Kolar Town Mysore State.

(vii) C.Shamachar son of C.Ramachar, aged about 45 years, Head Clerk in the Office of The District Survey Officer Bangalore District Bangalore, residing in Basavanagudi, Bangalore.

v to vii being brothers of the deceased.

4. That the petitioner claims the schedule assets of the deceased under The Hindu Law of Inheritance as the brother of the predeceased husband of the deceased, being equally entitled to the property along with the three other brothers of the petitioner, ii to iv in the list of relations in para 3 above.

5. That the said brothers of the petitioner as also the other relatives have no objection to the grant of the Succession Certificate to this petitioner. A statement signed by them is produced herewith.

6. That there is no impediment to the grant of the certificate or to the validity thereof if it were granted, under Section 370 or any other provision of this Act or any other enactment in force.

7. That the debts and securities in respect of which the certificate is applied for, are contained in the schedule hereunder.

Before the ~~Honable the Resident~~ political Agent and British Representative accredited to the state of Mysore, C & M Station Bangalore

R.O.F of 193

Petitioner		Counterpetitioners
M.N. Gopala Rao	vs	M. N. Rama Rao + 5 others

The counterpetitioners above said beg to state that they have no objection to the grant of ~~the~~ certificate to the petitioner.

1 M. N. Rama Rao

2 M N Lakshman Rao

3 M. N. Narayana Rao

4 ~~[illegible]~~
(sd) Chaturvedi Seshachar

5 C Srinivasa Rao

6 C Shamachar

Counterpetitioners 1 to 6

Before the Political

~~In the Court Of the~~

Agent and British Representative accredited to the State of Mysore, C & M STATION, **BANGALORE**

R.O.F **No.** **of 1939.**

~~Plaintiff~~ Petitioner.
~~Complainant~~ Appellant.

M. N. Gopala Rao

Versus.

Defendant Cr. Petitioner.
Accused Respondent.

Filed on 24-1-25 *1939.*

Under Section 372 Section 382 of the Indian Succession Act (Act XXIX of 1925)

H. S. NARASIAH, B.A., B.L.,
~~M. N. NARAYANA RAO, B.A., LL.B.,~~
LEGAL PRACTITIONERS,
"Law chambers" Cambridge Road, Ulsoor,
C & M Station, Bangalore
No. 6, Avenue Road, Bangalore City

Agent ~~Counsel~~ for petitioner.

(13)

S. N. 7

OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE, BANGALORE.
4 JUL. 1939
Diary No. 6806
File No.

RO 9(4) 35

6366 TR 4 2-11-16

Asstt 3.7.39

M. Chetty

BEFORE THE HON'BLE THE BRITISH RESIDENT AND POLITICAL AGENT TO THE GOVERNMENT OF MYSORE, CIVIL & MILITARY STATION, BANGALORE.

R.O.No. of 1939.

(In the matter of the estate of late Padmavathi Bai, deceased)

Petitioner:-

M.N. Gopal Rao.

Affidavit of C. Shamachar.

I, C. Shamachar, son of C.Ramachar, aged 52 years, Clerk, Survey Supt Bangalore Ch residing at No.21, Police Station Road, Basavangudi, Bangalore City, do hereby solemnly affirm and state on oath as follows:-

1. In the above petition the Petitioner by misrepresenting facts to me got my signature to a paper to the effect that I consent to a succession certificate being issued in his favour.

2. I was not then aware that the deceased

14

deceased had executed a will on 15-3-1937. I have now obtained a certified copy thereof from the Office of the District Treasury, Kolar. As such, I hereby withdraw my consent and oppose the above petition.

3. The Petitioner has no right to apply for a succession certificate, and the above petition is liable to be dismissed.

Bangalore,
Dated -6-1939.

CShamacharya

Solemnly affirmed
~~Sworn~~ to before me

15

BEFORE THE HON'BLE THE BRITISH RESIDENT AND POLITICAL AGENT TO THE GOVERNMENT OF MYSORE, CIVIL & MILITARY STATION, BANGALORE.

R.O.No. of 1939.

(In the matter of the estate of late Padmavathi Bai, deceased)

Petitioner:- M.N. Gopal Rao.

Affidavit of Nagoo Bai.

I, Nagoo Bai, daughter of Indira Bai, aged about 25 years, residing at No.21, Police Station Road, Basavangudi, Bangalore City, do hereby solemnly affirm and state on oath as follows:-

1. I understand that the above Petitioner has applied for the issue of a succession certificate to him in the above case, suppressing the material and important fact, namely, that the deceased Padmavathi Bai, to whose estate the above petition relates,

p.t.o.

16

has left a will dated 15-3-1937 under which I am entitled to a fourth of the schedule properties.

2. I oppose the above petition, and the Petitioner has no right to apply for a succession certificate.

3. A certified copy of the will has been obtained from the Office of the District Treasury, Kolar, and the same will be produced.

4. It is therefore expedient, necessary and just that this Hon'ble Court should be pleased to dismiss the above petition.

ನಾಗು ಬಾಯಿ

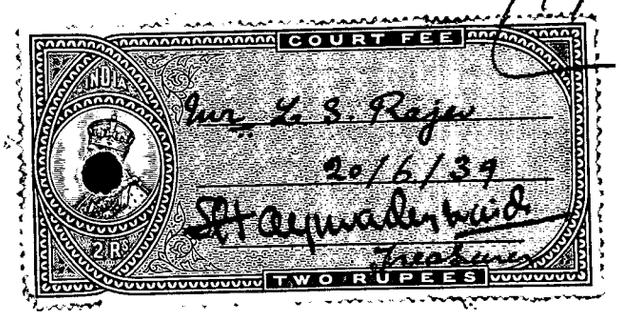
Sd/- NAGOO BAI.

Bangalore,

Dated -6-1939.

Solemnly affirmed before me, the contents of this affidavit having been first truly and audibly read over to the deponent in Kanarese, she being unacquainted with English who appeared perfectly to understand the same and made her signature thereto in my presence.

24/6/39



17

BEFORE THE HON'BLE THE BRITISH RESIDENT AND POLITICAL AGENT TO THE GOVERNMENT OF MYSORE, C. & M. STATION, BANGALORE.

~~In the Court of the~~

CIVIL AND MILITARY STATION, BANGALORE.

R.O. No. OF 19 39.

~~Plaintiff~~, *Petitioner*, ~~Appellant~~. ~~Defendant~~, ~~Counter-Petitioner~~, *Respondent*.

M.N. Gopal Rao } *Vs.* }

1. We the (1) C. Shamachar and (2) Nagoo Bai ~~above named~~ do by these presents retain **Mr. L. S. RAJU**, M.A., *(Hons.)*, B.L., **Advocate, Lakshmi Sthanam, Kasi Visveswar Temple Lane, Bangalore City,** and Mr. G. R. Doreswamy, B.A., B.L., Advocate, Bangalore City,

to appear in and conduct the above case on our behalf to judgment.

2. We further empower him to execute any decree or order that may be passed in our behalf and to receive from Court such sums of money as we may be entitled to get and to grant receipts therefor.

3. We also undertake to confirm and ratify all the legal acts done by the said Advocate in so doing.

Accepted L. S. Raju

G. R. Doreswamy

Advocate for C. Shamachar & Nagoo Bai.

Dated 29--6-1939.

C Shamachar

ನಾಗು ಬಾ ಆಯ್(sd) Nagoo Bai.

Signed before me

L. S. Raju

Dated 29. 6. 39

MODI POWER PRINTING WORKS, BANGALORE CITY.

BEFORE THE HON'BLE THE BRITISH RESIDENT AND POLITICAL AGENT TO THE GOVERNMENT OF MYSORE,

CIVIL & MILITARY STATION,

BANGALORE.

R.O.No. of 1939.

(In the matter of the estate of late Padmavathi Bai, deceased)

Petitioner:-

M.N. Gopal Rao.

Files Affidavits of C. Shamachar and Nagoo Bai with Vakalat.

L.S.Raju,M.A.(Hons.), B.L.,
Advocate for C. Shamachar &
Nagoo Bai.

Bangalore,

Dated 29-6-1939.

S. N. 9

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
10 JUL 1939
Diary No. 7033
File No.

119

AR
10.7.39
Mr. Chetty

IN THE COURT OF THE HONORABLE THE BRITISH RESIDENT
IN MYSORE AT BANGALORE

F 9(4) - 39

Petitioner
M.N.Gopal Rao

vs

Counterpetitioners
M.N.Narayana Rao & 5 others

Affidavit

I, M.N.Narayana Rao, son of M.Narasinga Rao, aged about 54 years, Legal Practitioner, residing at No.124, Visveswarapuram, Bangalore city, the 3rd counterpetitioner in the above case, do hereby solemnly affirm and state as follows :-

1. The petitioner is my elder brother.
2. I have no objection to the grant to him of the succession certificate applied for by him.

Bangalore
10-7-39

M N Narayana Rao
3rd counterpetitioner

Solemnly affirmed before me
this 10th day of July 1939.

J. Srinivasachar
Sheristadar
10.7.39

DISTRICT & SESSIONS COURT & CITY CIVIL COURT
BANGALORE

S_N_11-

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
10 JUL 1939
Diary No. 7031
File No.....

21

Affda
10.7.39

Mr. Ch[illegible]

IN THE COURT OF THE HONABLE THE BRITISH RESIDENT
IN MYSORE C & M STATION BANGALORE

No. A 5(4)-39

Petitioner
M.N.Gopal Rao

vs

Counterpetitioners
M.N.rama Rao & 5 others

Affidavit

I, M.N.Laksmmana Rao, son of M.Narasinga Rao, aged about 43 years, Assistant Engineer, Mysore P.W.D., residing in hassan, the 2nd counterpetitioner in the above case, do hereby solemnly affirm and state as follows :-

1. The petitioner is my elder brother.

2. I have no objection to the grant of the succession certificate applied for by him, to him.

Bangalore
10-7-39

M N Lakshman Rao
2nd counterpetitioner

Solemnly affirmed to before me this 10th day of July 1939.

DISTRICT & SESSIONS COURT * CIVIL & MILY STATION * BANGALORE

J. Srinivasa Chetty
Sheristadar
of 10.7.39.

S N.46

28

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
8696
Diary No. 9128
File No 9(4)/39

PR Clerk

1-9-39

BEFORE THE HON'BLE THE BRITISH RESIDENT AND POLITICAL AGENT TO THE GOVERNMENT OF MYSORE, CIVIL AND MILITARY STATION, BANGALORE.

Application in R. Dis.File No. 9(4) of 1939

(In the matter of the estate of late Padmavathi Bai - deceased).

****

Petitioner:-

M. N. Gopala Rao,
Malleswaram, Bangalore.

AFFIDAVIT OF C. SESHACHAR.

I, C. Sesha Char, son of C. Rama Char aged about 63 years, residing at Gangarasanahalli village, Kolar District, do hereby on solemn affirmation and state on oath as follows:-

1. I have received the notice of the application for the grant of a succession Certificate to the petitioner in respect of the estate of late Padmavathi Bai.

2. The petitioner has suppressed a very important and material fact viz., that the deceased Padmavathi Bai has left a will dated 15th March 1937 whereby I am entitled to draw the investments mentioned therein and also the sum of Rs 2,800/-

the

20

29

the subject matter of the present litigation and utilise the same as directed and detailed in the said will.

3. I oppose the above petition and the petitioner is not in any manner entitled to apply for a Succeession Certificate.

4. The original will is deppsited in the Kolar Munsiff's Court in a sealed cover in - Mis. Case No. 288 of 1938-39.

5. It is therefore necessary and expedient and just that this Honourable Court should be pleased to dismiss the above petition.

Bangalore,
1st September 1939.

C Seshachar

Solemnly affirmed
~~SWORN~~ TO BEFORE ME,

1/9/39

DISTRICT ... COURT ... BANGALORE ... CIVIL & MILY. STATION

S. N. 47

30

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
9194/4/9
Diary No. 9194
File No. 9194/39

Before the Honourable the British Resident
in Mysore, C. &. M. Station,
Bangalore.

R. F. No.(9) 4 - 39.

Petitioner :- M. N. Gopal Rao.

Vs.

Counter-Petitioners:- M. N. Rama Rao and others.

REPLY AFFIDAVIT.

I, M. N. Gopal Rao, son of M.Narasinga Rao, aged about 58 years, residing at No.6 Temple Road, Malleswaram, Bangalore, do hereby solemnly affirm and state as follows :-

1. I have perused the objections filed in the above case by the 4th counter - petitioner, C. Seshachar, 6th counter-petitioner C.Shamachar, and one Nagoobai a new party.

2. The unregistered will dated 15-3-37 said to have been executed by deceased Padmavathi Bai is not a genuine document.

3. I submit the following facts and circumstances which show that the said will is not genuine :-

(i.) On enquiries specifically made by me and my brother the 3rd counter-petitioner, - immediately after the deceased's death, the counter-petitioners 4 to 6 stated that there was not any will left.

(ii) When I and my brothers applied to the Deputy Commissioner, Kolar District, for transfer to our names a sum of about Rs.1000/- left by the deceased in a Savings Bank account in the Kolar District Treasury, the 4th counter-petitioner herein raised an objection stating that we were not entitled to the monies as we had given property absolutely to the deceased and because she was at the time of death was living in his protection. No reference to any will was made therein.

(iii) Subsequently when he found that such an objection was not legally tenable, and for the first time after 11 months from the death of the deceased, he set up an unregistered will appointing himself as an Executor, under which all the properties except a small sum bequathed to charity, was left to counter - petitioners 4 to 6.

(iv) Upon our denying the genuineness of the will in the said proceedings before the Deputy Commissioner, and realising that they

they will not succeed ultimately, the counter-petitioners 4 to 6 approached us for a compromise and we agreed to give them a portion of the properties of the deceased. The disputed will in original was then torn off and burnt and the parties got executed between themselves an agreement dated 17-12-1938, which is produced herewith along with its English translation.

(v) According to the said agreement which only confirmed our rights as heirs to the deceased, the counter-petitioners 4 to 6 have agreed that they would not object in the matter of our realising the shares forming the subject matter of the proceedings in this Honourable Court.

(vi) Further when I filed this petition they gave a statement in writing setting forth that they had no objection to the grant of the Succession Certificate to me and the same has been filed by me along with my present petition.

4. The counter-petitioners 4 to 6 are thus estopped from opposing the grant of the certificate in view of the agreement and the written statement referred to above. The explanation sought to be given by the 6th Counter-petitioner to the effect that he was not aware of the will, when he executed the agreement i.e., at a time when nearly 2 years had elapsed from

331

from the date of deceased's death, is a - deliberate falsehood.

5. The proceedings in Kolar Munsiff's Court in respect of the Treasury deposit referred to in the affidavit of the 4th counter-petitioner which is posted to - 8-9-1939 will be duly contested by me.

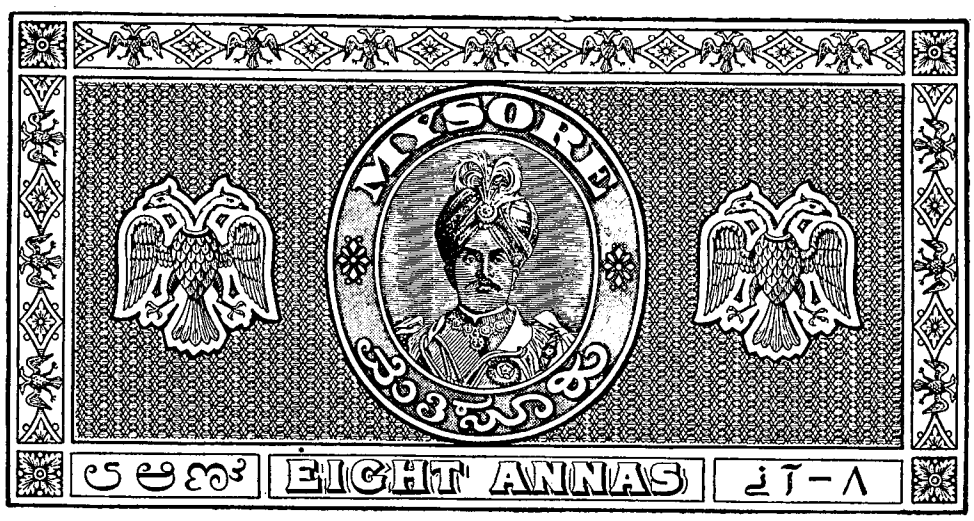
6. I am advised to state that the setting up of the will, will not invalidate the certificate if granted and the provisions of S.370 of the Indian Succession Act does not apply to the will now set up, it being one of the kind exempted under S.57.

7. Considering the fact that the right of the objecting parties rests upon an unproved, unregistered will with an - environment of probabilities against its genuineness, and the further fact, that their claims are inconsisting with their own - admissions made in the agreement dated - 17-12-1938 and the written statement filed in this case, I submit that this is a fit case for the Honourable Court to proceed under Section 373 Clause (3) of the Indian Succession Act, granting the certificate to me on taking security.

8. The claim of Nagoobai based on the said will is also not tenable according to Law. As the nearest heirs I, along with my brothers am entitled to the certificate. It is submitted that no claims other than those derived

from

35



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8-

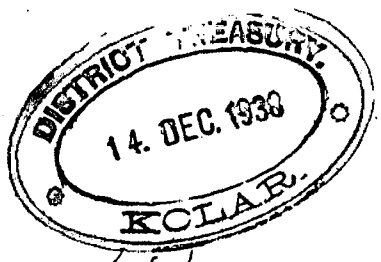
No 578

Mr. M. N. Gopala Rao

dt 17. 12. 1938

S. Seetharama Sastri

Ag. Vendor Kolar



(1) Mukundarao.

(2) M. N. Narayana Rao

(3)

(4) C. Srinivasa Rao

(5) C. Ramachar

(6)

(7) Md Lakshmana Rao
20/12/38

(37)

English Translation of the Agreement.

Agreement dated 17-12-38 entered into between us, M.N. Gopal Rao, and M.N.Narayana Rao, and M.N.Rama Rao and M. N Lakshmana Rao, represented by the above said Gopal Rao and M.N.Narayana Rao, all sons of M.Narasinga Rao, forming the first party, and Seshachar, C.R.Sreenivasa Rao, and C.Shama Char, son of Chaturvedi Ramachar, forming the Second Party, as mutually agreed between the parties - Whereas Padmavathi Bai, the sister of the members of the ~~XXXXX~~ second Party and the widow of elder brother of the Members of the First Party, died on 23rd March 1937, and it is decided that both the parties should take her properties, it is decided to distribute the same as follows :-

(1) The house situate in Brahmins Street, Kolar, of the boundaries herein below mentioned, should be taken by C.R. Srinivasa Rao and C.Shama Char of the Second Party in equal shares. Boundaries of the House : East by Conservancy Lane, West by High Road, North by house of Rajagowri and K.Narasimiah and on the south by Road.

(2) The amount in deposit in Savings Bank account No.1148 in Kolar District Treasury standing in the name of deceased Padmavathi Bai should be taken by Seshachar of the ~~first~~ Second Party.

(3) Of the 14 First Preference Shares of the Tata Iron and Steel Company of Bombay standing in the name of deceased Padmavathi Bai 10½ shares should belong to the members of the First Party and the remaining 3½ shares to Nagoobai the daughter of C.Shama Char abovesaid. In persuance of this agreement, the certificates in respect of the said shares are given to the possession of M.N.Gopal Rao of the First Party by C.Seshachar of the Second Party. As it is not possible

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possible for Rama Rao and Lakshmana Rao belonging to the First Party to come here for the present, and they have agreed to abide by the decision made on their behalf by us Gopala Rao and Narayana Rao it may be deemed that this agreement has their consent, and we undertake to get their signature in this respect and send. If any troubles arise$ we Gopala Rao and Narayana Rao, will get them solved. Those in whose names the properties are made are entitled to enjoy full rights and they alone should take further steps in that behalf.

To the effect that there is no objection for this, we have executed this agreement out of our free will. Of the two copies of this agreement one is given to Seshachar and another to C.R.Srinivasa Rao of the Second Party.

1. Sd. M.N.Gopal Rao.
2. M. N. Narayana Rao
3. Sd. Chaturvedi Seshachar in Kannada.
4. Sd.C.Srinivasa Rao.
5. Sd.C.Shama Char.
6. Sd.M.N.Rama Rao.
7. M.N.Lakshmana Rao.

20-12-38.

Witnesses:-

Sd.1.G.Shama Rao.

Sd.2.M.G.Ranga Rao.

WRITTEN IN THE HAND OF C. SESHA CHAR.

' TRUE TRANSLATION'.

MNGopalRao

Petitioner. 4-9-39

Before the Honble
The British Resident
in Mysore, C & M Station
Bangalore

R. F (9) 4 - 39

Petitioner
M. V. Gopal Rao

vs

Counterpetitioners
M. N. Rama Rao,
and 5 others

Reply-affidavit of
petitioner

Filed on 4-9-39

M. V. Gopala Rao
Petitioner

S. N. 19.

41

A. Rao
11.9.39

Before the Honble The Resident
in Mysore Bangalore

Mr Chetty

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
9194
9452.
Diary No.
File No. 289(41)/39

R. F. (9) 4 - 39

Petitioner		Counterpetitioners
M. N. Gopal Rao	vs	M. N. Rama Rao + others

The petitioner and the 6th Counterpetitioner and the additional party Nagoobai beg to state as follows:-

1. In Mis 288 of 38-39 on the file of the Munsiff at Kolar wherein the abovesaid parties including the Counterpetitioners 1 to 5 are all parties, they have filed a compromise petition after having settled all their differences including the shares forming the subject matter of this application.

2. As per the terms of that Compromise the Succession Certificate as prayed for by the petitioner in this case has to be granted

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to the petitioner and 4 out of the 14 shares of Messrs Tata Iron & Steel Company must be transferred to aforesaid Nagoobai after the succession certificate is granted to the petitioner and the shares are transferred to his name.

3. The 6th counterpetitioner ~~&~~, and the additional party Nagoobai therefore withdraw the objections already filed by them in this case and state that they have no objection to the grant of the succession certificate to the petitioner as prayed for.

Bangalore
11-9-39

M Gopalrao
Petitioner.

Lakshmaiya
Counsel for 6th Counterpetitioner and additional party Nagoobai

C. Shamacharya
6th counterpetitioner